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Attorneys for Idaho Ground Water Appropriators, Inc.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS
HELD BY OR FOR THE BENEFIT OF
A & B IRRIGATION DISTRICT, AMERICAN
FALLS RESERVOIR DISTRICT #2, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, and TWIN FALLS
CANAL COMPANY.

**AFFIDAVIT OF CHARLES M.
BRENDKE IN SUPPORT OF
GROUND WATER
DISTRICTS' JOINT REPLACEMENT
WATER PLAN FOR 2007**

STATE OF COLORADO)
 ss:
County of Boulder)

Charles M. Brendeke, being first duly sworn on oath, deposes and hereby states as follows:

1. I am President of Hydrosphere Resource Consultants, 1002 Walnut, Suite 200, Boulder, Colorado 80302. I am a licensed professional engineer in Idaho, Colorado, Wyoming and Oklahoma. I have a Bachelor of Science degree in civil engineering from the University of Colorado and Master of Science and Doctor of Philosophy degrees in civil engineering from Stanford University.

2. My educational and professional experience is set forth in the *Affidavit of Charles M. Brendecke* filed with the Department in this matter on March 23, 2005, and in Exhibit A thereof, and incorporated herein by this reference.

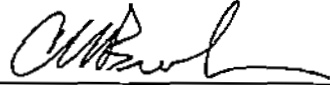
3. I have been retained to provide expert analysis on behalf of Idaho Ground Water Appropriators with respect to relevant issues of hydrology and water use on the Eastern Snake River Plain related to the Delivery Call made in January of 2005 by the Surface Water Coalition.

4. Attached hereto as Exhibit A is a true and correct copy my report dated December 30, 2005, which I prepared on behalf of the Idaho Ground Water Appropriators in the matter of distribution of water to various rights held by or for the benefit of the Surface Water Coalition. The information contained in this report contains certain of my professional opinions about the water supply and material injury issues relating to the Twin Falls Canal Company and other Surface Water Coalition entities. In particular they address the issue of what constitutes a full in-season diversion requirement for the Twin Falls Canal Company.

5. The May 2, 2005, Order issued by the Department of Water Resources adopted a definition of full water supply as the "minimum amount recently diverted for full head-gate delivery." If this is the appropriate standard, then my report shows that a "full water supply" for the Twin Falls Canal Company, based on a headgate delivery of 5/8 inch per acre, would be 1,009,100 acre-feet. Accordingly, a mitigation plan that insured this water supply would eliminate alleged material injury to Twin Falls Canal Company consistent with the May 2, 2005, Order.

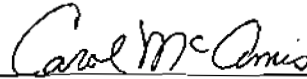
FURTHER YOUR AFFIANT SAITH NOT.

DATED this 8th day of May, 2007.



CHARLES M. BRENDECKE, PhD, PE

Subscribed and sworn to before me this 8th day of May, 2007.



Notary Public for Colorado
Residing at 7988 Marshall St., Arvada, CO
My commission expires 12/2/08

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of April, 2007, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated.

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Reuben Roelbeck
for *Randall O. Budge*

THE EXPERT REPORT OF CHARLES M. BRENDHECKE, PH.D., P.E., WAS ATTACHED TO THE AFFIDAVIT OF CHARLES M. BRENDHECKE IN SUPPORT OF THE GROUND WATER DISTRICTS' JOINT REPLACEMENT WATER PLAN FOR 2007 FOR THOSE RECEIVING SERVICE ELECTRONICALLY PER THE CERTIFICATE OF MAILING.

FOR THOSE RECEIVING HARD COPIES BY MAIL, THE REPORT AND ATTACHED EXHIBITS ARE NOT PROVIDED BECAUSE OF THEIR VOLUMINOUS NATURE. THE FOLLOWING MAY BE CONTACTED TO OBTAIN AN ELECTRONIC COPY:

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Pam Mottishaw: pam@racinelaw.net

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